

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 42 Ex.]

#### YEAS—66

Baldwin	Grassley	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Risch
Blunt	Hickenlooper	Romney
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Burr	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lummis	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Thune
Cornyn	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Crapo	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Graham	Peters	Young

#### NAYS—31

Blackburn	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Cruz	Lankford	Toomey
Daines	Lee	Tuberville
Ernst	Marshall	Wicker
Fischer	Moran	
Hagerty	Paul	

#### NOT VOTING—3

Barrasso	Luján	Rounds
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The majority leader.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 705.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Max Vekich, of Washington,

to be a Federal Maritime Commissioner for a term expiring June 30, 2026.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 705, Max Vekich, of Washington, to be a Federal Maritime Commissioner for a term expiring June 30, 2026.

Charles E. Schumer, Christopher Murphy, Edward J. Markey, Robert P. Casey, Jr., Maria Cantwell, Kirsten E. Gillibrand, Debbie Stabenow, Benjamin L. Cardin, John W. Hickenlooper, Tim Kaine, Gary C. Peters, Christopher A. Coons, Brian Schatz, Richard Blumenthal, Jacky Rosen, Jack Reed, Thomas R. Carper, Cory A. Booker.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, February 8, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MOTION TO DISCHARGE

Mr. SCHUMER. Pursuant to S. Res. 27, the Committee on Financing being tied on the question of reporting, I move to discharge the Committee on Finance from further consideration of the nomination of Sam Bagenstos to be General Counsel to the Department of Health and Human Services.

The PRESIDING OFFICER. Under the provisions of S. Res 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask unanimous consent that the vote on the motion to discharge be at a time to be determined by the majority leader in consultation with the Republican leader, notwithstanding rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Ohio.

#### AMERICAN MANUFACTURING

Mr. BROWN. Mr. President, we have had so much good news in Ohio and across the country over the last few weeks—rising wages, record job growth, a million jobs in 2 months.

Intel is bringing 10,000 new good-paying manufacturing and trades jobs to Central Ohio. That facility will be built by union workers—electricians, carpenters, laborers, pipefitters, and other workers of the skilled trades.

Hyperion, a fuel manufacturer, is opening the largest factory built in Columbus in a decade, creating 700 jobs.

GE Aviation with Boeing signed a new deal exporting planes built with

next-generation jet engines developed in Southwest Ohio, supporting thousands of Ohio jobs.

As I was flying into Columbus with Senator PORTMAN a couple of weeks ago to join Intel to announce those jobs, I was thinking: Today we are finally burying the term “rust belt.”

For too long, corporate elites on the coast have used that outdated, offensive term—a term that demeans our workers and devalues our work. Now Ohio—the center of the country, the heart of the industrial Midwest—leads the way in the next generation of manufacturing.

The State that founded the auto industry and gave us the Wright Brothers is today making the most advanced chips that go into cars and phones and appliances.

All of this is made possible because we are putting American workers at the center of our economy. It is not a coincidence we are seeing this record job growth, when we finally have a President who understands what carrying a union card means, who centers workers, who cares about wages, who comes from the industrial heartland—a union card that means better wages, a union card that means better benefits, a union card that often means a more flexible work schedule that workers have a decision and input into forming.

And look at the results we are getting. Last year, for the first time in 20 years, our economy grew faster than China. Think about that. For the first time in two decades, the American economy grew faster than China's economy.

We know that China and other competitors aren't giving up. They are, every week, trying to find new ways to cheat, new ways to undermine American jobs.

We need every possible tool to compete. It is why last year in the Senate we passed the Innovation and Competition Act. We passed what we are now calling the Make it in America Act. It is a serious effort to invest in manufacturing research and development and bring and build supply chains back in the United States.

It is going to mean jobs. It is going to bring down prices. For too long, we have had a trade policy and a tax policy lobbied in this body by corporate interests that wanted to move overseas for cheap labor. We have had a trade and tax policy that essentially hollowed out manufacturing in Ohio and across the Midwest. Ohioans know what permanent normal trade relations with China 20 years ago when Congress passed it—to be asked of corporate America and pushed by people like Newt Gingrich—people know what that did to our economy. Almost everyone knows the devastation the North American Free Trade Agreement caused to industrial towns in Ohio and across the country.

PNTR and admitting China to the WTO hasn't gotten the same media attention, but Ohio steel companies and

other industries know how big a problem it has been. It is how we ended up with empty factories, lost dreams, supply chains that are too long, too fragile, and that stretch all over the world instead of made in America.

That is why I wrote the Leveling the Playing Field Act that was passed into law in 2015. It is why Senator PORTMAN and I are working to make sure that our bipartisan Leveling the Playing Field Act 2.0 is in the competition bill, the Made in America Act the House passed last week.

Leveling the Playing Field has been critical for Ohio companies, allowing them to file and win trade cases against foreign companies that cheat the rules. We know our competition hasn't stopped coming up with new ways to skirt these rules and distort the global market to benefit their own companies.

The Chinese Government still subsidizes steel. The Chinese Government engages in economic espionage to steal American trade secrets to prop up their own state-controlled companies.

Look at the most recent conviction of a Chinese spy trying to steal GE Aviation's pioneering jet engine designs to swipe them and take them back to China. We need our trade laws to keep up.

Both the Senate and the House bills include the CHIPS Act to invest in new semiconductor production in the United States, like the new Intel factory coming to Licking County, east and north of Columbus. Even though the United States started the semiconductor industry, today those vital chips are mostly made overseas.

Fewer than 10 percent of chips are made in this country. Right now, 75 percent of chip manufacturing is in Taiwan, South Korea, Japan, and China. It has meant severe shortages and long waits for those chips that are critical inputs to so many of the products Americans rely on.

We need to bring the supply chain back home, starting with Intel in Ohio, by passing the CHIPS Act. We must invest in domestic manufacturing innovation. It is what Missouri Republican Senator BLUNT and I worked together to do with our provisions in the Senate bill to create more manufacturing hubs across the country.

The first one, as many in this body remember because they voted for it, was in Youngstown some years ago, something called America Makes. All of us in the Senate and the House need to get to work immediately to get these bills over the finish line.

If you want to get a sense of how important this is, how strong these bills are, just look at what China is doing. The Chinese Communist Party is lobbying furiously against this bill. That is right. The CCP and its cronies, the communist party in China, are lobbying against the bill that invests in American innovation, supports American manufacturing, takes on unfair and illegal trade practices. They are scared, pure and simple.

They know that pro-competition bills—the Make it in America Act—will have real consequences for their cheating and their trying to undermine American workers.

A Reuters headline from November: “Beijing urges U.S. businesses to lobby against China-related bills in Congress.”

I will say it again: “Beijing urges U.S. businesses to lobby against China-related bills in Congress.”

Unfortunately—I won't name them on the floor, maybe I should—but there are U.S. businesses that are lobbying against this because they do enough business in China, exploiting Chinese workers, evading any environmental laws or worker safety laws that may be in place.

The Chinese Government threatens these American companies, recruiting them to lobby against the interests of American workers. This time we are not rolling over. We are going to stand up for American innovation, stand up for American manufacturing, stand up especially for American workers.

As I said, we have a President now who puts workers at the center of our economic policy. We have a President who puts workers at the center of our economy. We have a President who is not afraid to talk about unions, knowing carrying a union card means a better life for workers.

We are going to get a strong bipartisan bill that increases our economic competitors. We know how to speed up our supply chain and lower prices and end our reliance on China: make more things in this country.

That is the solution to many of our economic problems: make it in Ohio. I urge my colleagues in both parties and both Chambers to go to work. Let's get this done for American workers.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

#### UKRAINE

Mr. CORNYN. Mr. President, many Americans are watching the news, reading the newspaper, watching cable news, and they are seeing the Russian buildup of troops on the border of Ukraine.

So I thought what I would do is take just a few moments to speak about what is at stake in Ukraine. Why should Americans care, and what should we do in response?

Tensions along the border are high. Shuttle diplomacy is occurring and is the order of the day. But more than 100,000 Russian troops are in position should an invasion of Ukraine be ordered by Russian Federation President Putin.

Reports indicate that Russia has created a graphic propaganda video, something called a false flag operation, to serve as a pretext for invading and cyber attacks like those that might precede a planned invasion are already underway.

Not surprisingly, the Kremlin is engaging in a disinformation campaign,

making every attempt to blame the United States—or any other country for that matter—for its own aggressive actions.

This kind of gaslighting might work in a totalitarian state, but in the rest of the world, where we have access to more complete and accurate information, we know better. There is no question that Russia and Russia alone is responsible for the military buildup on Ukraine's border and is also threatening peace in Europe.

As Frederick Kagan, a scholar at the American Enterprise Institute, has written:

This isn't primarily a Ukraine crisis. It's a Russia crisis. More precisely, [it is] a Putin-created crisis aimed at destroying [the North Atlantic Treaty Organization, otherwise known as] NATO.

It's Putin's attempt to drive the [United States] and its West European allies to put ourselves in a time machine, [to] abdicate our alliance obligations, expose countries previously occupied, brutalized, and exploited by the Soviet Union to Putin's continued aggression, demonstrate our unreliability as partners, and show our unseriousness about defending our own vital national security interests. In return for a promise of nothing at all.

The United States has played no part in creating this crisis, but I do believe we have some responsibilities—not just a treaty obligation to our NATO allies—because Ukraine is not yet a member of NATO, so that obligation under article 5 does not apply to Ukraine, as I will discuss in a moment.

But I do believe that we have a responsibility to support the Ukrainian people as they fight to defend their own sovereignty, despite the fact that they are not members of NATO.

With so many challenges on the home front, though, and around the world, it is easy for folks in Texas or Massachusetts or anywhere else around the country to wonder, why should we care what is happening in Ukraine? Americans are experiencing the highest inflation in 40 years; there is growing concern about violent crime; we have a humanitarian crisis on our southern border; and let's not forget the ongoing fight against the pandemic. We know families are struggling to face the challenges right in front of them, let alone those on the other side of the globe.

Americans want to know, how does a conflict on the other side of the globe actually impact the United States and, importantly, why should we help? I think those are fair questions. The human and financial costs of armed conflicts are very high. And we have learned the painful lesson during many times in our Nation's history, twice in the last century in Europe alone, where there were World Wars centered.

But we also know how much the free world depends on the United States and its leadership and strength to provide stability and prevent wars and promote peace, if we can, while safeguarding freedom and democracy around the world.

The United States is a global power, but we are no longer the only one. That day has passed. Our leadership role and responsibilities in a rules-based international order were earned by the sacrifices of generations of Americans who defended our freedoms and our way of life and those of our allies.

Believing, as Ronald Reagan said, that peace comes through strength, America's role in the world has been achieved by our military might, by our strategic alliances, our commitment to free markets and trade around the world that have produced the economy that has allowed us to defend ourselves as well as an unwavering dedication to our values. And whether we like it or not, our unique role in the world brings with it certain responsibilities.

We can't give anyone—adversary or ally—a reason to doubt our commitment to freedom, peace, stability, and security. Unfortunately, our reputation for reliability has suffered some damage recently. The botched withdrawal from Afghanistan, for example, caused our NATO allies to doubt the future of American leadership and our commitments under the North Atlantic Treaty.

Our friends and adversaries alike are wondering if the Afghanistan debacle is a one-time misstep or the beginning of dwindling U.S. commitment and power. Of course, Mr. Putin and Mr. Xi will not miss an opportunity to disparage America's credibility as a reliable ally.

Our urgent task, by our actions as well as our words, should be to convince friend and foe that we will remain a credible friend and ally.

But either way, Putin is an opportunist, and today the eyes of the world are on the United States to see how we will respond to this threatened Russian aggression. Will we stand strong in support of Ukraine or will we sit passively on the sidelines?

Make no mistake, Russia is doing far more than just threatening Ukraine. President Putin told the world in a speech in 2005 that the collapse of the Soviet empire—the Soviet Union—was what he called “the greatest geopolitical catastrophe of the century.” That is his mindset.

Putting that empire back together was clearly on his mind when Russia invaded the nation of Georgia in 2008, formerly part of the Soviet Union, and when Russia annexed Crimea in 2014, also part of the Soviet order.

And, of course, we can be confident this is foremost in his mind as he threatens to invade Ukraine, another country that used to be part of the Soviet Union.

So Putin is trying to get away with as much as he can, and it would be naive to think that he will stop at Ukraine.

If the United States fails to support Ukraine at this pivotal moment, other authoritarian governments, like those in China and Iran, will take note.

Today's New York Times had a story that said, “Both Sides of the Taiwan

Strait Are Closely Watching Ukraine's Crisis,” in other words, the People's Republic of China—mainland China—as well as Taiwan, the independent democratic state right across that thin band of water known as the South China Sea.

Here is what one of the representatives of Taiwan said in this article. He said: “If the Western powers fail to respond to Russia, they do embolden the Chinese thinking regarding action on Taiwan.”

So this is not just about Ukraine. This is not just about Europe. This is about America's credibility and that of our friends and allies around the world and our willingness to stand up for our values and defend our freedoms.

If our adversaries see that the United States responds merely with passivity or words, they too will inevitably see opportunities for them to exploit. That would risk further geopolitical instability and the cause of peace. It would inevitably diminish America's leadership position in the world, the global order of which we are what Elbridge Colby has termed the “cornerstone balancer,” a powerful country anchoring the coalition of freedom-loving nations.

So, yes, Ukraine is on the frontlines of the current crisis, but the security of Europe is also in question. The reach of Russia's aspirations for reestablished empire are, as well, and, as I said, there are global repercussions to however we choose to respond.

I am not suggesting that President Biden send American troops to Ukraine. I want to be clear on that point. I know of no one calling for American troops to be deployed to Ukraine.

There are, however, concrete steps we can take to help Ukraine defend itself without putting American lives on the line, and, fortunately, there is precedent for that.

In the early 1940s, Nazi Germany was making dramatic advances across Europe, and Great Britain was being pummeled by the blitz, a bombing campaign by the German air forces. While Britain was hanging on by a thread, Prime Minister Churchill asked President Franklin Delano Roosevelt for help from the United States.

This ultimately resulted in a very creative and successful solution known as the Lend-Lease Act. In the words of President Roosevelt, this legislation transformed the United States into the “arsenal of democracy” by supplying Great Britain with the materiel it needed to fend off German attacks.

He compared it to lending your neighbor a garden hose if his house was on fire. It wouldn't just protect the neighbor's home; it would protect your home as well.

Congress and the American people agreed with President Roosevelt's logic, and this legislation was signed into law in March 1941.

Soon after, American warships, aircraft, weaponry, oil, food, and other

critical resources made their way across the Atlantic to Allied forces fighting against Germany.

I think this is part of the response we need to provide today to provide the Ukrainians with the ability to defend themselves under a modern version of the 1941 Lend-Lease Act.

With the inspiration of President Roosevelt in the 1941 act, I have worked with a number of my colleagues—Republicans and Democrats alike—to draft a 2022 version of that legislation, called, not surprisingly, the Ukraine Democracy Defense Lend-Lease Act, which will ensure that Ukrainian forces and the Ukrainian people will have what they need to deter and defend against Russian invasions.

As it stands today, the President of the United States has a menu of options to support our international friends in times of conflict. In some cases, such as the loan of equipment, the United States will eventually retain end use. In others, such as grants and emergency aid, we do not recover the funding or the assets sent to our friends.

This bill would provide an additional option to that menu, allowing the United States to provide assistance that may otherwise be unfeasible unless we could retain end use.

This legislation would authorize President Biden to enter into lend-lease agreements directly with Ukraine and provide military equipment necessary to protect the Ukrainian people.

In an ideal world, access to this materiel will help the Ukrainians defend themselves and deter Russia from mounting an invasion in the first place. Knowing that Ukraine has access to the “arsenal of democracy” could help prevent Putin from risking a deadly war. But if Putin makes a bad decision to move forward, Ukrainian forces will have the lethal weapons that they need to defend their sovereignty.

They will also have the support of the United States and our NATO allies.

In the Senate, there is clear support for this sovereignty of Ukraine, and I am glad to have worked with my colleagues on this legislation that includes this lend-lease component.

I want to thank Chairman MENENDEZ and Ranking Member RISCH on the Foreign Relations Committee and a larger bipartisan group of our colleagues who have been working on a comprehensive approach to counter this threatened aggression by Russia. We have discussed my lend-lease bill, as well as additional security assistance and lethal aid for Ukraine. And, as we have read, Senator MENENDEZ and Senator RISCH are negotiating a limited but immediate sanctions response to this aggression, including cyber attacks, as well as the threat of additional sanctions in the event of an invasion.

As the chairman and the ranking member have said, negotiations are making some progress, and I hope we

can wrap things up quickly and bring the bill to the Senate floor without much more delay.

The fact is, we are racing against the clock. Putin could invade Ukraine at a moment's notice, and he is not going to wait on the U.S. Senate to act. That is why time is of the essence.

Ideally, the lend-lease agreement, military assistance, sanctions, and other provisions included in this package will cause Putin to think twice about invading. But that can only happen if we act before Putin acts.

So the clock is ticking, and we need to move. I am encouraged by the bipartisan support we have seen for Ukraine and for this effort, and I hope we can take action soon to reaffirm America's position as the lead defender of global peace and security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

JCPOA

Mr. MURPHY. Mr. President, the world was safer when the JCPOA, the Iran nuclear agreement negotiated by President Obama, was in place. The world became a much less safe place when President Trump tore up that agreement against the advice of his Secretary of State and his Secretary of Defense.

We have an opportunity right now to reconstruct that agreement—or the most important elements of it—so that Iran once again is as far as possible from being able to obtain a nuclear weapon. That would make the region safer. That would make the United States safer.

But time is of the essence. U.S. negotiators, European negotiators, the Russians, the Chinese, and the Iranians are right now entering what could be the last round of discussions, and it is absolutely imperative that the U.S. Senate provide this administration with the support it needs to effectuate an agreement.

I want to talk to my colleagues for a few minutes about how important it is for the United States and our European allies—for the world, indeed—to reconstruct a diplomatic agreement with Iran.

And I want to also talk for a moment about how disastrous the last 5 years have been—a period of time during which the United States has largely been out of compliance with that agreement.

The JCPOA was signed by the United States and European allies and was entered into, on behalf of a coalition that included Russia and China, with the Iranian Government. It was signed in July of 2015, and within about 6 months, the IAEA was able to verify that Iran had completed its obligations under the nuclear agreement.

This included commitments that would increase the amount of time that Iran needed to acquire enough material for a nuclear weapon from 2 to 3 months—that was the amount of time that it would have taken them prior to

the nuclear agreement—to at least a year or more.

The agreement reduced Iran's stockpiles of enriched uranium by requiring it to ship 25,000 pounds of it out of the country. Iran committed to dismantling and removing two-thirds of its centrifuges. It modified its heavy water reactor at Arak and filled it with concrete so that it could never be used again, preventing Iran from producing weapons-grade plutonium. And, finally, Iran agreed to provide unprecedented access to its nuclear facilities and to its nuclear supply chain—not only the sites that we knew about, but it also agreed to adopt what are called the additional protocols which allow the IAEA to be able to request and get access to sites in which they might have some suspicion that there was new prohibited nuclear research activity happening.

Under this deal, Iran reduced its stockpile of uranium by 98 percent. It kept its level of uranium enrichment at 3.67 percent, significantly below the levels that you would need to make a bomb.

The JCPOA, as I said, got the Iranians to reduce their number of centrifuges from 20,000 to 6,000.

And so this was the world that President Trump inherited—the United States, Europe, Russia, and China united on Iran policy; Iran shutting down major elements of their nuclear research program, such that they were now more than a year out from getting a nuclear weapon if they made the decision to achieve a nuclear weapon. That is called the breakout time, the time from which a country decides it wants a nuclear weapon to the point at which it has a nuclear weapon. For Iran, that went from 2 to 3 months prior to the agreement to over a year after the agreement.

But it also lined up the United States, Europe, China, and Russia—this unlikely alliance of traditional adversaries, at least with respect to Russia and China—so that we could then move on to Iran's other malevolent behaviors.

Critics of the deal said it only pertains to the nuclear program, but that is not the only bad behavior that Iran is engaged in.

Well, President Trump inherited a united front of unlikely allies that then could be utilized to pressure Iran to make changes to its ballistic missile program, to reduce its support for terrorist organizations and proxy armies around the region. That is why Secretary Tillerson and Secretary Mattis and many other Trump advisers encouraged him to stay in the deal.

But he didn't. President Trump tore up the deal and announced to the country and the world that he was going to pursue a different strategy.

Critics of JCPOA said that President Obama shouldn't have entered into an agreement. Critics said that he should have held out and kept applying more and more sanctions, even if the Euro-

peans walked away, as a means of getting Iran to come to the table on a broader agreement that would include its ballistic missile program and its support for terrorists.

President Obama believed it was important to get the nuclear question off the table. But to the extent there was any silver lining of President Trump's decision, it is that it allowed us for 4 years to test the theory of the opponents, the theory of the critics, because President Trump implemented the strategy that the critics of the JCPOA wanted President Obama to employ.

Donald Trump imposed greater sanctions. He did it without the Europeans, and he demanded that he would only talk to the Iranians if they came to the table on everything. In fact, he set it down on a piece of paper.

Secretary of State Mike Pompeo gave Iran a list of 12 demands and said that we will come to the table and talk to you and we will consider releasing these sanctions if you talk to us about all of your dangerous behaviors in the region—your nuclear program, your ballistic missile program, your support for terrorists. So President Trump gave us the gift of testing the theory of the opponents. You know how the story goes. It was a spectacular failure.

It was a spectacular failure in multiple respects. First, let's just talk about what happened to Iran's nuclear program. In May 2019 Iran announces that it will no longer observe the JCPOA stockpile limit. And, as of November of last year, the stockpile of enriched uranium—enriched uranium gas—was roughly 11 times what it was during the agreement.

In July 2019, Iran began enriching uranium up to 4.5 percent, above 3.6 percent, as specified in the agreement. In January of 2021, it began enriching uranium to 20 percent; in April of 2021, up to 60 percent.

In September 2019, Iran announced it would no longer be bound by any research and development limitations on advanced centrifuges. They started that research again.

In November 2019, Iran announced that it would start enriching uranium at Fordow up to 4.5 percent. Under the JCPOA, enrichment at Fordow was prohibited for 15 years. By January of last year, Iran was enriching uranium to 20 percent at Fordow.

And in November of 2020, Iran's Parliament passed a bill requiring the country to build that new heavy water reactor at Arak that allows them a path to plutonium. Once built, that reactor will be capable of producing enough plutonium annually for two nuclear weapons.

And since February of this year, Iran has been restricting that IAEA access to its facilities. It no longer complies with the additional protocols. So if you ask for access to a site in which you think there is new nuclear research activity being undertaken, Iran no longer feels obligated to grant that access.

Iran went to a breakout time of 2 to 3 months to a breakout time under the agreement of more than a year, to, today, a breakout time of 2 months—arguably less than the breakout time prior to the deal.

But it is important to also note that during these last 4 years, none of Iran's other malevolent activities in the region have abated. In fact, arguably, they have gotten worse. Iran continues to support proxy armies in Syria, Yemen, Lebanon. In fact, their connection with Hezbollah in Lebanon and with the Houthis in Yemen is probably stronger today than it was during the JCPOA.

After President Trump backed out of the JCPOA, Iran restarted attacks on U.S. troops. Now, Iran has been engaged in permanent destabilizing activities in Iraq since the outset of that war, but during the period of time that we were in the JCPOA, they were not shooting directly at U.S. troops. Their proxy armies had stood down. Once we were outside of the JCPOA, those attacks started again. In fact, one rocket that was sent by a proxy army at a U.S. staff base in Iraq could have killed 100 U.S. troop members. It just narrowly missed.

The Iranians have undertaken attacks against the Saudis that they never would have contemplated while the JCPOA was in effect, taking action against Saudi oil facilities, including a high-profile attack against Saudi Aramco.

And their proxy armies, similarly, are firing at our friends in the Gulf. Just in the last few months, we have seen an increased level of drone attacks and missile attacks against Saudi Arabia and the UAE from inside Yemen.

One of my Republican colleagues here in this body claimed that Trump's Iran policy had "restored deterrence." That is a laughable proposition because it did exactly the opposite. Once we got out of that agreement, Iran started their nuclear research program to the point that it is stronger than it was prior to the JCPOA in some ways. They didn't stop any of their other destabilizing activity. It got worse, and they didn't come back to the table.

The whole point of the critics of the Obama policy was that if we had just kept on applying sanctions, Iran would come to the table on everything. Trump tried it. It didn't work. Iran didn't come to the table on anything.

Their actions in the region, their actions against the United States, their nuclear research program just got more serious and worse.

Listen, diplomacy is not weakness. News flash: Occasionally there are diplomatic agreements that are in the best interests of the United States, and the JCPOA was inarguably one of them. The data tells a clear story.

Iran wasn't a good actor during the JCPOA. They were still engaged in all sorts of deleterious activity. But Donald Trump inherited the ability to use

that coalition that was built to build the JCPOA to take on that other activity. He inherited a nuclear research program which was controlled, and he threw it all away.

What is interesting is that many of our allies who were very skeptical of the JCPOA when it was signed are now very supportive of the United States reentering it. It tells you that they see the same story that I am telling you.

Our Gulf allies, who were among the most vocal opponents of the JCPOA in 2014 and 2015, sent out a joint statement urging "a mutual return to full compliance of the JCPOA." This was a deal that the Gulf nations opposed, and they now support the United States entering back into it.

And a cavalcade of Israeli officials—former intelligence and defense officials who can now feel freer to speak about their personal views—have been equally clear about the need to get back into this agreement.

Tamir Pardo was the former director of Mossad. For 5 years he directed the Mossad. He said:

What happened in 2018 was a tragedy. It was an unforgivable strategy, the fact that Israel pushed the United States to withdraw from the agreement 10 years early. It was a strategic mistake.

Amos Yadlin, the former chief of the IDF military intelligence unit, a job he held for 4 years, said: "If we want to be honest, what postponed Iranian progress towards achieving nuclear weapons was the nuclear agreement—and not military action. . . . [Iran is] closer now than they have ever been before. And that is because of the very wrong policy . . ." of withdrawing from the agreement.

Gadi Eisenkot, former IDF chief of staff said that "the fact that the U.S. withdrew in 2018 from the . . . deal released Iran from all restrictions and inspections in the deal, even if there were holes [in the agreement], and brought Iran to the most advanced position today with regard to its nuclear program."

And so, so many of our friends in the region see the need to get back into this agreement. The status quo is not acceptable.

Now, it is not going to be easy because there are elements of Iran's progress in nuclear research that are difficult, if not impossible, to undo given how much new research, how many advanced centrifuges they have built since President Trump left the agreement.

And, quite frankly, there are some sanctions that we have applied to Iran since the nuclear agreement that we aren't going to release, because we told the Iranians and the world that we were going to apply sanctions to Iran relevant to their ballistic missile program and their support for terrorist organizations, and we did that—some of them under President Trump. Those aren't going to go away.

But it is important for the Biden administration to see that many of the

sanctions that Trump put in place during that period of time may have sounded good, but they had no impact on Iranian behavior.

I would put on that list the sanctioning of the Iranian Revolutionary Guard and the sanctioning of the Supreme Leader. These aren't good people, but those sanctions didn't change Iran's behavior for the better. In fact, during that period of time, their behavior got worse. Their nuclear research program became more advanced. And so, if releasing those designations or sanctions are required in order to make the world safer and get Iran back into the nuclear box, then I hope the administration will give serious consideration.

I hope the administration understands the vital importance of getting back into this agreement and being willing to do the tough things in order to achieve a new nuclear agreement with the Iranians.

The Iranians are going to have to make concessions as well. The Iranians are going to have to make some serious changes to their current scope of nuclear research. But it is the only way to unlock sanctions relief for a country that badly needs it. There is no way for the current President of Iran to make good on all the promises he made without the sanctions relief.

But time is of the essence. Time is of the essence. President Biden promised to restart diplomacy with Iran to make the world a safer place by getting back into a nuclear agreement. This is the moment to do it, and I would urge the administration to take all of the smart steps necessary in order to prevent Iran from obtaining a nuclear weapon, making the region and the world a safer place.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Connecticut.

ORDER OF BUSINESS—MOTION TO DISCHARGE

Mr. MURPHY. Mr. President, I yield back all time on the motion to discharge.

The PRESIDING OFFICER. Duly noted.

#### EXECUTIVE CALENDAR

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Calendar No. 362, Homer L. Wilkes, to be Under Secretary of Agriculture for Natural Resources and Environment; that the cloture motion be withdrawn; that the Senate vote on the nomination without any intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. The clerk will report the nomination.